

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Julian Dandre Hayes

Docket No. 7:05-CR-38-1

Petition for Action on Supervised Release

COMES NOW Chip Williams, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Julian Dandre Hayes, who, upon an earlier plea of guilty to Possession of a Firearm by a Convicted Felon in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on March 28, 2006, to the custody of the Bureau of Prisons for a term of 77 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
2. The defendant shall participate in such vocational training program as may be directed by the probation office.
3. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Julian Dandre Hayes was released from custody on March 22, 2011, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On June 10, 2011, the court was notified that the defendant was charged with felony Flee/Elude Arrest, misdemeanor Reckless Driving to Endanger, misdemeanor Resisting Public Officer, misdemeanor Driving While License Revoked, Seat Belt Violation, Speeding, and misdemeanor Fail to Heed Light or Siren. The court took no action at that time. On March 26, 2012, the defendant pled guilty to misdemeanor Resisting Public Officer. The remaining charges were dismissed. The defendant was sentenced to a 60 day term of imprisonment, but was allowed to avoid

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jail time upon payment of a fine, court costs, and attorney fees. The defendant is employed and there are no other instances of noncompliance. To address the violation (new criminal conduct), it is recommended the court impose a 2 day jail sanction. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall serve two (2) days in the custody of the Bureau of Prisons as arranged by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ Chip Williams
Chip Williams
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: June 20, 2012

ORDER OF COURT

Considered and ordered this 21st day of June, 2012, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge